

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)	
)	Confirmation No. 5997
Stephen Peter East et al.)	Group Art No. 1624
)	
Serial No: 10/538,928)	Examiner: Noble E. Jarrell
)	
Filed: March 3, 2006)	Docket No. 010180.00033

For: *Antibacterial Agents*

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This paper is responsive to the Restriction Requirement dated February 11, 2008, in connection with the above-identified application. The fee for a one-month extension of time, in the amount of \$120.00, is being paid concurrently herewith.

In response to the Restriction Requirement, Applicants elect, with traverse, the invention of Group II, claims 1-13, 15-16, 22-23 and 25-26, drawn to compounds, compositions and a method of using (treatment of bacterial infections) formula 1 where variable Y is C(O) or C(S), and variable A is pyrrolidine. Specifically, applicants traverse the separation of Groups II and III. These groups all recite an amino group as the A group which are closely related structures. Examining such claims together should not be an undue burden. Reconsideration of this part of the restriction requirement is respectfully requested.

In response to the election of species requirement, Applicants elect the species of Example 2. Claims 1-9, 11, 12, 15, 16, 22, 23, 25, and 26 read on the elected species.

Applicants reserve the right to file a divisional application directed to the non-elected inventions prior to the termination of proceedings in this application.

The Commissioner is hereby authorized to charge any fees required or credit any overpayment to Deposit Account No. 19-0733.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Date: April 8, 2008

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